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16 **UNITED STATES DISTRICT COURT**
17 **DISTRICT OF NEVADA**

18 * * * *

19 **STACEY M. RICHARDS,**)
20)
21 **Plaintiff,**)
22) **CASE NO. 2:16-CV-1794-JCM-PAL**
23 **v.**)
24)
25 **GREG COX, et al.**)
26)
27 **Defendants.**)
28 _____)

29 **STIPULATION AND REQUEST TO EXTEND DISCOVERY**
30 **AND OTHER DEADLINES**
31 **(4TH REQUEST)**

32 **IT IS HEREBY STIPULATED** by and between Plaintiff, **STACEY M. RICHARDS**, by
33 his counsel Richard A. Schonfeld, Esq., of the law offices of Chesnoff & Schonfeld, and John
34 Burton, Esq., of the law offices of John Burton, and Heather B. Zana, Deputy Attorney General,
35 counsel for Defendants, Greg Cox, et al, pursuant to FRCP 26(f) and Local Rule 26-1(e), that the
36 discovery deadline dates and trial of this matter, shall be extended by at least 120 days with the close
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1 of Discovery being **September 10, 2018**, subject to this Court's approval:

2 The Parties seek to modify the Scheduling Order to extend the discovery cut-off date and the
3 motion cut-off date. This is necessary in order to effectively proceed with discovery herein.
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5 It should be noted that the parties began their efforts to select a mediator and coordinate a
6 mediation in late October, 2017. After much dialogue, on December 12, 2017, the parties were able
7 to agree upon a mediator. The mediation was scheduled and went forward on February 28, 2018,
8 at JAMS with the Honorable Judge David Barker. Unfortunately, the case did not settle.
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10 This stipulation is being submitted as the parties now need additional time to conduct
11 discovery.

12 1. Plaintiff's Complaint was filed on July 28, 2016;

13 2. Defendants Eric Boardman, Michael Byrne and William Gittere's Answer was filed
14 on September 29, 2016;

15 3. Defendant Michael Fletcher's Answer to Complaint was filed on October 14, 2016;

16 4. Defendants Renee Baker and Greg Cox's Answer to Complaint was filed on
17 November 1, 2016;

18 5. Counsel conducted the required case conference on October 5, 2016. Plaintiff was
19 represented by Richard A. Schonfeld of Chesnoff and Schonfeld and John Burton of the law offices
20 of John Burton. Defendants were represented by Clark B. Leslie, Chief Attorney General;
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22 6. On November 9, 2016, this Honorable Court entered an Order setting discovery
23 deadlines;
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25 7. On February 8, 2017, Plaintiff Initial Disclosures were electronically served on
26 Defendant;
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1 8. On February 21, 2017, Plaintiff received Defendant's Initial Disclosures;

2 9. Plaintiff served Requests for Production of Documents, First Set of Interrogatories
3 and Request for Admissions to Defendants and Mr. Leslie served Defendant's Requests for
4 Production of Documents and First Set of Interrogatories and Request for Admissions directed to
5 Plaintiff.
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7 10. The parties had been gathering Plaintiff's medical records which include treatment
8 with multiple providers in both Nevada and California, and therefore it has taken considerable time
9 to compile the records;
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11 11. The parties have been engaged in dialogue with an eye toward resolving this case.
12 As a result, the parties had a joint call with one of the Plaintiff's surgeons that treated the Plaintiff
13 after the incident in question. The purpose of the call was for the parties to gain insight as to the
14 potential testimony of said witness without the need for a deposition at this time. The parties are
15 scheduled for Mediation at JAMS on February 28, 2018. This Stipulation is being submitted so that
16 if the case does not resolve, the parties will have the necessary time to conduct additional discovery;
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18 12. The following depositions took place on October 23, 2017, in Los Angeles,
19 California:

20 1. Detective Daniel Gore; and

21 2. Sgt. Derek Bumgardner.
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23 13. An additional basis for the extension of discovery is that the Plaintiff had been
24 released from custody but is now back in custody as a result of a parole violation. Accordingly,
25 counsel has had difficulty in communicating with Plaintiff;
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1 14. The parties also have agreed on the following deposition schedule (subject to witness
2 availability), in addition to other depositions that will be set, in the event that the case does not
3 resolve by way of mediation:
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- 5 1. Michael Byrne, Las Vegas, Nevada, March 20, 2018;
- 6 2. Eric Boardman, Ely, Nevada March 21, 2018;
- 7 3. Renee Baker, Ely, Nevada, March 22, 2018;
- 8 4. William Gittere, Ely, Nevada March 22, 2018;
- 9 5. Greg Cox, Murrells Inlet, South Carolina, April 10, 2018;
- 10 6. Michael Fletcher, Helena, Montana, April 12, 2018;
- 11 7. Stacey Richards, Indian Springs, Nevada, April 16, 2018.

12 15. The following is a list of the current discovery deadlines and the parties' proposed
13 extended deadlines.
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Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	May 9, 2018	September 10, 2018
Amendment of Pleadings and Addition to Parties	February 9, 2018	June 11, 2018
Expert Disclosures pursuant to Fed R. Civ. PP 26(a)(2)	March 7, 2018	July 11, 2018
Rebuttal Expert Disclosures pursuant to Fed R. Civ. PP. 26 (a)(2)	April 9, 2018	August 13, 2018
Interim Status Report	April 9, 2018	August 13, 2018
Dispositive Motions	June 7, 2018	October 8, 2018
Joint Pretrial Order	July 12, 2018	November 12, 2018

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26 16. The extension of the discovery deadline will necessitate a new trial date.
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IT IS SO ORDERED.

Tygg A. Jeen

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